

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MYPOR TECHNOLOGIES, INC.,

Plaintiff,

v.

APPLE, INC.

Defendant.

C.A. No. 1:24-cv-01337-JDW

DEMAND FOR JURY TRIAL

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff MyPort Technologies, Inc. (“MyPort” or “Plaintiff”) brings this action for patent infringement under 35 U.S.C. § 1, *et seq.*, against Defendant Apple, Inc. and alleges as follows:

THE PARTIES

1. Plaintiff MyPort is a Delaware corporation formed on November 18, 1999, with an address at 2711 Northview Drive, McKinney, Texas 75072. MyPort’s founder and current CEO is Mr. Michael Malone.

2. Defendant Apple is a California corporation with its principal place of business at One Apple Park Way, Cupertino, CA 95014. Apple is a publicly traded company that may be served through its registered agent for service, CT Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, U.S.C., § 1 *et seq.*

4. This Court has subject matter jurisdiction over MyPort’s claims under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has both general and personal jurisdiction over Apple. Apple has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over Apple would not offend traditional notions of fair play and substantial justice.

6. Apple has conducted and continues to conduct business within this District. Apple, directly or through subsidiaries or intermediaries (including distributors, retailers, and others), ships, distributes, makes, uses, offers for sale, sells, imports, and/or advertises (including by providing interactive web pages) its products and/or services in the United States and in this District and/or contributes to and actively induces its customers and others to ship, distribute, make, use, offer for sale, sell, import, and/or advertise (including the provision of interactive web pages) infringing products and/or services in the United States and this District.

7. Apple, directly and through subsidiaries or intermediaries (including distributors, retailers, and others), has purposefully and voluntarily placed one or more of its infringing products and/or services, as described below, into the stream of commerce with the expectation that those products will be purchased and used by customers and/or consumers in this District. These infringing products and/or services have been and continue to be made, used, sold, offered for sale, purchased, and/or imported by customers and/or consumers in this District.

8. Venue in this District is proper under 28 U.S.C. §§ 1391 and 1400(b).

9. MyPort is an entity organized under the laws of Delaware and resides in Delaware for purposes of venue under 28 U.S.C. § 1400(b).

10. Apple has a regular and established place of business in this District. For example, Apple has employees and operates a retail store in this District at 125 Christiana Mall, Newark, DE 19702. *See https://www.apple.com/retail/christianamall/* (last

accessed Oct. 9, 2025); <https://www.christianamall.com/en/directory/apple-8718.html> (last accessed Oct. 9, 2025). Apple's retail store at 125 Christiana Mall sells and offers for sale infringing products and/or services.

11. Venue is also proper based on the facts alleged in the foregoing paragraphs, which MyPort incorporates as if fully set forth herein.

THE PATENTS-IN-SUIT

12. United States Patent No. 9,832,017 ("the '017 Patent"), entitled "Apparatus for personal voice assistant, location services, multi-media capture, transmission, speech to text conversion, photo/video image/object recognition, creation of searchable metatag(s)/ contextual tag(s), storage and search retrieval" issued on November 28, 2017. A true and correct copy of the '017 Patent is attached as Exhibit A.

13. United States Patent No. 10,237,067 ("the '067 Patent"), entitled "Apparatus for voice assistant, location tagging, multi-media capture, transmission, speech to text conversion, photo/video image/object recognition, creation of searchable metatags/ contextual tags, storage and search retrieval" issued on March 19, 2019. A true and correct copy of the '067 Patent is attached as Exhibit B.

14. United States Patent No. 10,721,066 ("the '066 Patent"), entitled "Method for voice assistant, location tagging, multi-media capture, transmission, speech to text conversion, photo/video image/object recognition, creation of searchable metatags/contextual tags, storage and search retrieval" issued on July 21, 2020. A true and correct copy of the '066 Patent is attached as Exhibit C.

15. MyPort owns the '017 Patent, the '067 Patent and the '066 Patent (collectively, the "Patents-in-Suit").

16. Each of the Patents-in-Suit is valid and enforceable.
17. MyPort has the exclusive right to sue and collect remedies for past infringement of the Patents-in-Suit.

BACKGROUND

18. MyPort incorporates the allegations of the foregoing paragraphs as if fully restated herein.
19. The patented innovations described herein originate from work by Mr. Michael Malone, the sole named inventor of each of the Patents-in-Suit, during his nearly 50 years in the technology industry. In the early 1990s, he co-founded a company that engineered, manufactured and distributed fax over internet routers for fax machines, and was a pioneer in bridging the gap between faxes, which were limited to being sent over analog telephone lines, and digital internet communications such as email and texts. A few years later, he co-founded another company in the internet shopping and e-commerce space.
20. In or around 2000, Mr. Malone formed MyPort Technologies, Inc. to patent and protect his numerous inventions in the space of encryption, geotagging, and the use of speech recognition and image recognition to create metadata tags to allow digital photographs to be easily stored and searched.
21. At the time of the invention for the Patents-in-Suit, the ability for a digital media device, such as a smartphone, to store many media files presented problems, including making it difficult and time-consuming to manually describe and index every media file (such as a picture). There also existed the problem that when these media files were emailed or sent to another party, the receiving party could not search the media files for the specific key indexes that the owner had intended.

22. The patented inventions of the Patents-in-Suit solved these and other existing problems by, among other things, conceiving of the use of a microphone to capture audio information; a camera to capture image information; GPS to capture location and time information, and the use of data converters to process, convert, and store the audio and image information into a text based searchable file as a context tag, using speech recognition and image recognition, such as artificial intelligence and/or machine learning, for storage and search retrieval.

23. MyPort's patented innovations of the Patents-in-Suit have become essential to modern photo, and photo application development. MyPort's Patents-in-Suit have been cited as prior art against later patent applications from industry leaders on more than 100 occasions. These patents were recently asserted against and licensed by Samsung.

24. The Patents-in-Suit are directed to a patent-eligible, non-abstract idea and solved multiple problems in the prior art. In MyPort's prior litigation against Samsung, where MyPort asserted the same three Patents-in-Suit, the Samsung district court ruled that there were "outstanding fact issues under Step 2 of *Alice*" that precluded summary judgment of patent ineligibility for each of the Patents-in-Suit. *See Ex. D at 2* (redacted copy incorporated herein). In the briefing that formed the basis for this Court Order, MyPort's expert submitted written testimony explaining that the patented invention claims a novel ordered combination of elements, including application of "image recognition" for media content "tag generation," "conversion" of audio "to a text context tag" and association of that resulting text context tag with a "stored digital image," the use of two specific data converters to perform those functions. *See generally Ex. E at ¶¶ 617, 623, 627, 629-631* (incorporated herein).¹ That ordered combination of the claim

¹ Though Ex. E is marked "Restricted-Attorneys' Eyes Only" the portions cited in the exhibit attached herein do not contain any confidential information.

limitations present patent eligible subject matter that is not well-understood, routine, or conventional. *Id.*

25. Specifically, as discussed in the specification, at the time of the invention, users faced “problems” finding media content among vast numbers of files. ’017 Patent at 2:30-35.² It was “nearly impossible” for users to organize those files “manually.” *Id.*, at 2:31-35. And technology did not exist at the time that would make it possible to organize media files (unlike text files) automatically. *Id.*

26. Moreover, even if users added metadata to media files to facilitate organization, reliable methods for preserving that metadata during data transfers was non-existent. If users painstakingly added metadata to their photo or music collection to facilitate organization, that information would be lost if the user transferred the files to another device, or sent the media files to others—leaving large collections of photos and audio files effectively unsearchable. *See, e.g.*, ’017 Patent at 2:49-59. Existing systems did not allow for a durable and persistent association of recognition-derived tags (such as speech-to-text or image context tags) with media files in a way that enabled later search and retrieval. *Id.* at 2:22-3:30.

27. The Patents-in-Suit solved those problems with a concrete, non-abstract invention that improves the functioning of the computer and network. Each Patent-in-Suit claims systems and methods that enhance the way computers capture, process, associate, transmit, store, and retrieve multimedia information. The asserted claims recite specific, structural components and ordered operations. Claim 6 of the ’017 patent, for example, recites specific hardware components, a “microphone” that captures and stores audio and a “camera” that captures and stores images,

² The Patents-in-Suit share a common specification with the substantially same disclosure. Unless otherwise noted, patent citations made herein are only to the ’017 Patent.

connected to respective “data converter[s].” ’017 Patent at 11:10-32. The converters have specific functions: the first data converter processes and stores the audio and image data, while a “media data converter” processes the audio and image to generate a “text based searchable file as a text context tag” and an “image recognition searchable context tag” characterizing the content. *Id.* at 11:25-33. The claims also recite a “combiner” (data combiner and compressor) that creates a composite data set, a transmitter that transmits a temporally-defined “stored defined set” (the capture initiated at an initial time and completed at a completion time) to a remote node, and a remote system/receiver and system data converter that converts the received defined set into a searchable format and produces searchable text and image context tags which are associated with the image and stored in a database. *See, e.g., id.* at Abstract; 2:22-3:30; 3:50-4:44; 5:39-58; 8:61-9:23; 10:28-56.

28. The Patents-in-Suit explain how these recited structures and ordered steps solve concrete technological problems in the prior art. The specification teaches (i) combining multiple data sources (primary data set, secondary/context description element, and meta data) into a single composite data stream and compressing that stream so that the resulting “compressed data set” “requires fewer transmission or storage resources than the uncompressed stream, but remains recoverable such that the original data … can be recovered without error” (*id.* at 9:13-23); (ii) preserving searchable metadata through explicit techniques, including a file-format designator with a user identifier, sequence number/time stamp, and structured filename components (*id.* at 4:2-3; 6:45-53; 7:11-41; 8:18-41), the use of steganographic embedding of metadata directly into the data element so that metadata survives transfer (*id.* at 4:13-23), and a certificate/hash-based authentication workflow that ties metadata to stored elements and supports authenticated retrieval (*id.* at 4:45-59; 5:4-11; 5:18-32); and (iii) a tag generator and automated tag-creation pipeline

(speech-to-text for audio-derived tags; image recognition for image-derived tags) such that searchable “context” tags are produced automatically and associated with the stored image for later indexed retrieval (*id.* at 5:39-58; 7:42-61; 10:3-12). These specific structures and steps—recited in the claims and described in the specification—explain how the claimed invention achieved the asserted storage savings, automated searchability, and metadata preservation across transfers, rather than merely describing a new goal or result.

29. The claims of the Patents-in-Suit recite specific components and ordered steps that constitute an inventive concept and not merely a well-understood, routine or conventional computer implementation of an abstract idea. The claims do not simply recite “tagging” or “indexing” in the abstract; rather, they require (a) bounded capture of data as a defined set (start/stop event and transmission after completion) (*id.* at Abstract; 3:5-15; 10:62-67; 11:41-46; 12:8-13; 12:49-54), (b) an explicit combiner/compressor that creates a recoverable composite data set and reduces storage/transmission resource usage (*id.* at 8:64-66; 9:13-23; 11:22-24), (c) explicit mechanisms for converting audio and data into context tags, and associating these context tags with the captured image and transmitting and storing those tags in association with the image in a database (*id.* at 8:2-17; 10:48-54; 11:17-35; 11:48-51; 12:5-7; 12:14-19; 12:29-41), and (d) concrete preservation and authentication mechanisms (file-format designators/UIDs and steganographic embedding or certificate/hash procedures) that prevent loss of index keys on device migration or transfer (*id.* at 4:2-3; 4:13-23 4:45-59; 5:4-11; 5:18-32; 6:45-53; 7:11-41; 8:18-41). These claimed and described features are technical in nature (specific data structures, specific data flows, specific capture/transfer ordering, specific compression/combining and recoverability guarantees, and specific metadata-embedding/authentication steps) and plainly supply significantly more than the abstract idea of merely “converting audio to text, generating image-

recognition tags, associating the text and image tags with the image, and storing the image in association with those tags.” Read together, the claims and specification recite concrete combiner/compressor behavior and recoverability, a temporally-defined “stored defined set” capture/transfer flow, automated tag generation, file-format identifiers/sequence-number examples, and steganographic and certificate/hash processes for preserving and authenticating tags and data during storage and transfer. These facts demonstrate that the claims are directed to a technological improvement in computer and network functionality and recite an inventive combination of elements that are neither generic nor routine.

30. In sum, the claims of the Patents-in-Suit recite patent-eligible subject matter under 35 U.S.C. § 101 because they embody inventive concepts that improve the operation of digital devices, employ unconventional structures and ordered combinations, and provide specific solutions to problems that were unique to computer technology at the time of the invention.

31. The importance of the above-described innovations is reflected in the fact that the Patents-in-Suit have been cited as prior art in over 100 subsequent patent applications around the world by leading technology companies including Google, Sony, IBM, and Cisco Technology, demonstrating their recognized role as technological advancements.

32. Further, Apple attempted to patent similar MyPort technology when it filed its own patent application for an invention titled “Voice-Based Image Tagging and Searching” on March 13, 2013, years after the priority date for the Patents-in-Suit. *See* Appl. No. 13/801,534; Pub. No. US 2013/0346068. Apple abandoned the application after the Patent Office rejected the application.

33. The written description for each Patent-in-Suit supports each of the elements of the claims, allowing a person of skill in the art to understand what the elements cover and how the

non-conventional and non-routine combination of claim elements differed markedly from and improved upon an isolated element that may have been considered conventional, generic, or routine.

ALLEGATIONS OF PATENT INFRINGEMENT

34. Apple makes, uses, sells, offers for sale, and/or imports certain products and systems, that include, but are not limited to, smartphones and tablets (“Accused Products”). Identification of the Accused Products will be provided in Plaintiff’s infringement contentions pursuant to the Court’s scheduling order and local rules. Non-limiting examples of the Accused Products include different versions of the Apple smartphones and tablets, such as the iPhone 6 / 6 Plus; iPhone 6S / 6S Plus; iPhone SE (1st); iPhone 7 / 7 Plus; iPhone 8 / 8 Plus; iPhone X; iPhone XS / XS Max; iPhone XR; iPhone 11; iPhone 11 Pro / 11 Pro Max; iPhone SE (2nd); iPhone 12 / 12 Mini; iPhone 12 Pro / 12 Pro Max; iPhone 13 / 13 Mini; iPhone 13 Pro / 13 Pro Max; iPhone SE (3rd); iPhone 14 / 14 Plus; iPhone 14 Pro / 14 Pro Max; iPhone 15 / 15 Plus; iPhone 15 Pro / 15 Pro Max; iPad Air (1st generation); iPad Mini 2; iPad Mini 3; iPad Air 2; iPad Mini 4; iPad Pro (1st generation); iPad (5th generation); iPad Pro (2nd generation); iPad (6th generation); iPad Pro (3rd generation); iPad Mini (5th generation); iPad Air (3rd generation); iPad (7th generation); iPad Pro (4th generation); iPad (8th generation); iPad Air (4th generation); iPad Pro (5th generation); iPad (9th generation); iPad Mini (6th generation); iPad Air (5th generation); iPad Pro (6th generation); iPad (10th generation). These Accused Products directly infringe, literally and/or under the doctrine of equivalents, one or more claims of each of the Patents-in-Suit.

35. MyPort sent a letter to Apple on October 13, 2020 (“Notice Letter”), identifying MyPort patents, including each of the Patents-in-Suit, and specifically alleged that “Apple’s iPad, iPad Mini, iPhone, and iPod Touch infringe least the following claims: ’017 patent claims 13-17;

'067 patent claims 6-9 and 13-17; and '066 patent claims 13-17" and included claim charts enclosing the same. In response to MyPort's Notice Letter, legal counsel for MyPort and Apple spoke on the phone on or about December 1, 2020, to discuss the substance of MyPort's allegations. Apple then responded to the Notice Letter on or about January 12, 2021, and the parties exchanged subsequent correspondence on March 19, 2021 and April 19, 2021. As such, Apple knew that it infringed the Patents-in-Suit at least as early as October 13, 2020.

36. MyPort's Notice Letter also referenced that MyPort and Apple had engaged in licensing discussions in 2011 regarding related patents, and referenced an in-person meeting between MyPort and Apple on September 30, 2011. Thus, Apple has been aware or should have been aware, of MyPort's patent portfolio and the Patents-in-Suit prior to the Notice Letter, especially considering that MyPort's patents are publicly available and are widely cited in the field of speech and image tagging, as noted above.

37. MyPort has, to the extent required, complied with the marking statute, 35 U.S.C. § 287.

38. As set forth below, the Accused Products incorporate, without any license or permission from MyPort, technology protected by the Patents-in-Suit.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 9,832,017

39. MyPort reasserts and incorporates herein by reference the allegations of all preceding paragraphs of this Complaint as if fully set forth herein.

40. Apple has infringed at least claim 13 and one or more of its dependents of the '017 Patent under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, the Accused Products.

41. As just one non-limiting example, set forth below with claim language in italics is a description of infringement of exemplary claim 13 of the '017 Patent (MyPort reserves the right to modify this description, including on the basis of information it obtains during discovery): *a system for capturing image and audio information for storage comprising:* To the extent the preamble is limiting, the Accused Products, such as the iPad Mini 5, contains a camera for capturing image information and a microphone capable of capturing audio information, and memory capable of storing this information.

iPad mini (5th generation) – Technical Specifications



* * *

Camera

- 8-megapixel camera
- f/2.4 aperture
- Five-element lens
- Hybrid IR filter
- Backside illumination
- Live Photos

* * *

Video Recording

- 1080p HD video recording
- Slo-mo (240 fps)
- Time-lapse video with stabilization
- Video image stabilization
- 3x video zoom
- Video geotagging

* * *

Micropophones

- Dual microphones for calls, video recording, and audio recording

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).

42. The Accused Products include *internal storage*. The Accused Products, such as the iPad Mini 5, provide flash memory, cache memory, and RAM to store information.

iPad mini (5th generation) – Technical Specifications



* * *

Capacity¹

- 64GB
- 256GB

* * *

Chip

- A12 Bionic chip with 64-bit architecture
- Neural Engine
- Embedded M12 coprocessor

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

43. The Accused Products include *a microphone interfaceable with external audio information source that generates external audio information*. The Accused Products, such as the iPad Mini 5, contain a microphone capable of recording audio information from an external audio

information source. For example, the microphone can record the words of a user who dictates into the microphone.

iPad mini (5th generation) – Technical Specifications



* * *

Micropohones

- Dual microphones for calls, video recording, and audio recording

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

44. The Accused Products include *a first data converter for capturing the first external audio information from the microphone*. The Accused Products, such as the iPad Mini 5, use the device processor and software for capturing the external audio information from the microphone.

Dictate text on iPhone

With Dictation on iPhone, you can dictate text anywhere you can type it. You can also use typing and Dictation together—the keyboard stays open during Dictation so you can easily switch between voice and touch to enter text.

Dictation requests are processed on your device in many languages—no internet connection is required. When dictating in a search box, dictated text may be sent to the search provider in order to process the search.

Note: Dictation may not be available in all languages or in all countries or regions, and features may vary. See the [iOS and iPadOS Feature Availability website](#).

When using Dictation, cellular data charges may apply. See [View or change cellular data settings](#).

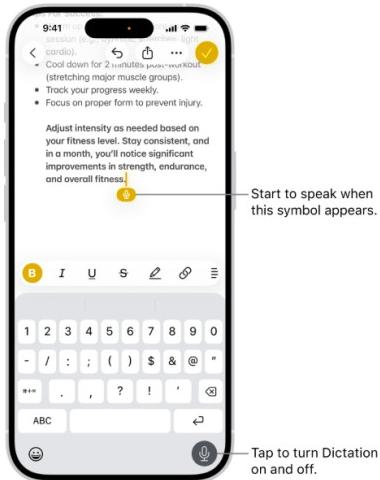
Turn on Dictation

1. Go to the Settings app 🛡️ on your iPhone.
2. Tap General, then tap Keyboard.
3. Turn on Enable Dictation. If a prompt appears, tap Enable Dictation.

To learn more about how Apple protects your information and lets you choose what you share, tap About Dictation & Privacy below Dictation, or see the [Apple Privacy website](#).

Dictate text

Dictate text and use voice commands to edit and format content.



Source: support.apple.com/en-us/HT208343 (last accessed Oct. 9, 2025).

45. The Accused Products include *a camera interfacing with an image source to capture an image therefrom*. The camera of the Accused Products, such as the iPad Mini 5, interfaces with an image source. It senses the image and converts it to a series of quantized pixels that, in aggregate, make up the image.

iPad mini (5th generation) – Technical Specifications



* * *

Camera

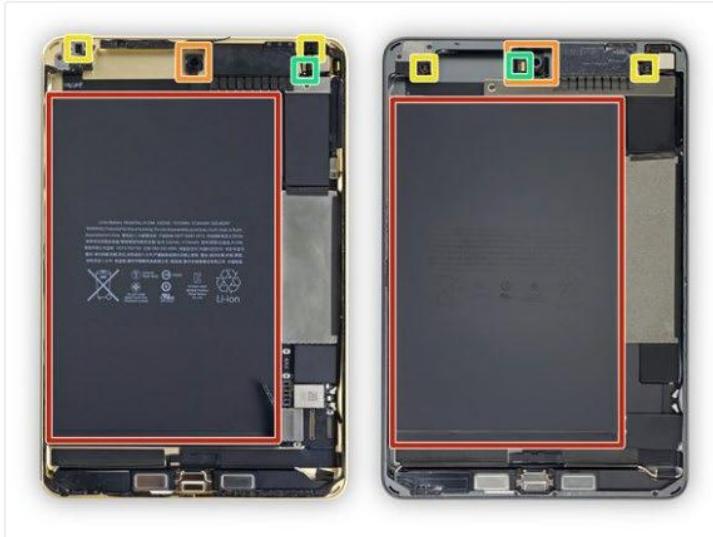
- 8-megapixel camera
- f/2.4 aperture
- Five-element lens
- Hybrid IR filter
- Backside illumination
- Live Photos

* * *

Video Recording

- 1080p HD video recording
- Slo-mo (240 fps)
- Time-lapse video with stabilization
- Video image stabilization
- 3x video zoom
- Video geotagging

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



- Notice the clean lines and muted colors in Apple's foray into **abstract art**. The second image is *extra abstract* thanks to X-rays.
 - Let's channel our inner art critic and try to spot some differences between the newest Mini and its predecessor:
 - Different battery model, with updated (i.e. incompatible) connectors
 - Rated for 19.32 Wh, it matches [the last Mini's](#), has less than the standard iPad's 32.9 Wh, and comes in a little over the [Galaxy Note9's](#) 15.4 Wh.
 - Upgraded front-facing camera module
 - Updated ambient light (True Tone) sensors
 - A migrated set of microphones
- i* [Here's a clean view with no markings](#), in case you want to spot the differences yourself.

Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

Take photos with your iPad camera

Learn how to take photos with your iPad camera. Choose from camera modes such as Photo, Pano, and Square, and use camera features such as Burst and Live Photos.



Take a photo

Photo is the standard mode that you see when you open Camera. Use Photo mode to take still photos. Swipe the mode selector up or down to choose a different mode, such as Video, Pano, Time-lapse, Slo-mo, and Portrait (on [supported models](#)).

1. Open Camera  on your iPad.
2. Tap the Shutter button or press either volume button.

Note: For your security, a green dot appears at the top of the screen when Camera is in use. See [Control access to hardware features](#).

Source: support.apple.com/guide/ipad/take-photos-ipad99b53a71//18.0/ipados (last accessed Oct. 9, 2025).

46. The Accused Products include *the first data converter processing the captured external audio information and storing it in a first digital audio format as stored digital audio within the capture device, the camera for processing the captured image and storing it as a stored digital image*. Each Accused Product includes a first data converter (e.g., relevant portions of the processor and associated software) that processes the user's words dictated into the microphone (i.e., the captured external audio information) to convert the external audio information into digital audio data and further stores it as digital audio in the device's memory. Each Accused Product has

a camera (including the use of relevant portions of the processor and associated software) that processes images and stores the images as a digital file.

Add or edit titles, captions and more in Photos on iCloud.com

In Photos on iCloud.com, you can view and edit metadata about a photo or video, such as the date, time and location. You can also add titles and captions to make it easier to search for items.

-
1. Go to icloud.com/photos, then sign in to your [Apple Account](#) (if necessary).
 2. Tap or double-click the photo or video you want to see more information about.
 3. Select ⓘ.
 4. Select Edit next to any of the following metadata:
 - *Title and caption*: Enter text in the field.
 - *Date and time*: Select anything in the Adjusted field, then specify the new date or time. To discard any changes, select Revert to Original.
 - *Location*: Enter a location in the field, then choose an option. To remove the location, select Remove Location.
 **Tip:** If the photo or video doesn't have a location already, select Add Location first.
 5. Select Save.
- The title appears in the Photos toolbar when you view a photo. You can also see it from the thumbnail view.

If you add or edit a caption for a photo or video in your [iCloud Shared Photo Library](#), all participants can see the changes.

Source: [\(last accessed Oct. 9, 2025\).](https://support.apple.com/en-au/guide/icloud/mm54e2d3fb7a/icloud#:~:text=You%20can%20view%20metadata%20about,Apple%20Account%20(if%20necessary))

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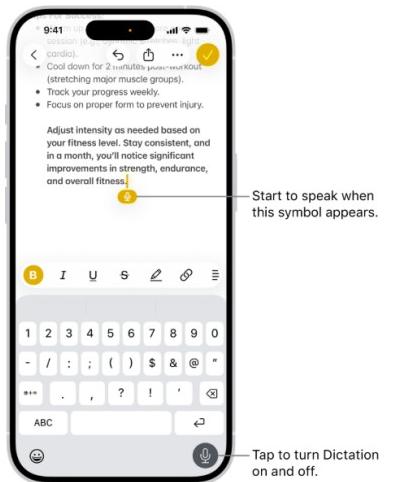
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Dictate text and use voice commands to edit and format content.



Source: support.apple.com/en-us/HT208343 (last accessed Oct. 9, 2025).

What Is Core Audio?

Core Audio is the digital audio infrastructure of iOS and OS X. It includes a set of software frameworks designed to handle the audio needs in your applications. Read this chapter to learn what you can do with Core Audio.

A Little About Digital Audio and Linear PCM

Most Core Audio services use and manipulate audio in linear pulse-code-modulated (*linear PCM*) format, the most common uncompressed digital audio data format. Digital audio recording creates PCM data by measuring an analog (real world) audio signal's magnitude at regular intervals (the *sampling rate*) and converting each sample to a numerical value. Standard compact disc (CD) audio uses a sampling rate of 44.1 kHz, with a 16-bit integer describing each sample—constituting the resolution or *bit depth*.

- A *sample* is single numerical value for a single channel.
- A *frame* is a collection of time-coincident samples. For instance, a stereo sound file has two samples per frame, one for the left channel and one for the right channel.
- A *packet* is a collection of one or more contiguous frames. In linear PCM audio, a packet is always a single frame. In compressed formats, it is typically more. A packet defines the smallest meaningful set of frames for a given audio data format.

Source:

developer.apple.com/library/archive/documentation/MusicAudio/Conceptual/CoreAudioOverview/WhatisCoreAudio/WhatisCoreAudio.html#/apple_ref/doc/uid/TP40003577-CH3-SW1 (last accessed Oct. 9, 2025).

To begin recording, the app installs a tap on the input node and starts up the audio engine, which begins collecting samples into an internal buffer. When a buffer is full, the audio engine calls the provided block. The app's implementation of that block passes the samples directly to the request object's `append(_:_)` method, which accumulates the audio samples and delivers them to the speech recognition system.

Source: developer.apple.com/documentation/speech/recognizing_speech_in_live_audio (last accessed Oct. 9, 2025).

View, share, and print photos on iPad

All photos and videos you take with your iPad camera are saved in the Photos app. With [iCloud Photos](#) turned on, all new photos and videos are automatically uploaded and available in Photos on all your devices that are set up with iCloud Photos (with iOS 8.1, iPadOS 13, or later).

Note: If Location Services is turned on in Settings ⓘ > Privacy & Security > Location Services, photos and videos are tagged with location data that can be used by apps and photo-sharing websites. See [Control the location information you share on iPad](#).

Source: support.apple.com/guide/ipad/view-share-and-print-photos-ipad99b53b6d/ipados/18.0 (last accessed Oct. 9, 2025).

Framework

Speech

Perform speech recognition on live or prerecorded audio, and receive transcriptions, alternative interpretations, and confidence levels of the results.

iOS 10.0+ | iPadOS 10.0+ | Mac Catalyst 13.0+ | macOS 10.15+ | visionOS 1.0+

Overview

Use the Speech framework to recognize spoken words in recorded or live audio. The keyboard's dictation support uses speech recognition to translate audio content into text. This framework provides a similar behavior, except that you can use it without the presence of the keyboard. For example, you might use speech recognition to recognize verbal commands or to handle text dictation in other parts of your app.

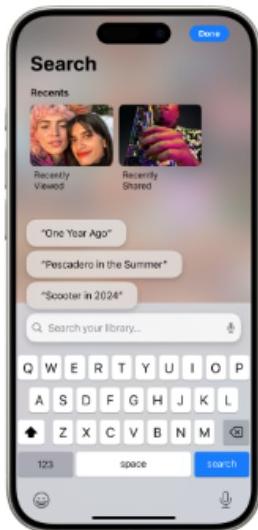
Source: developer.apple.com/documentation/speech (last accessed Oct. 9, 2025).

47. The Accused Products include *a second data converter for converting the received digital audio to a text based searchable file as a text context tag and creating an image recognition searchable context tag with image recognition of at least a portion of the digital image and associating the text and image recognition context tags with the digital image*. When the Accused Products capture spoken audio, the Accused Products can perform speech recognition. The speech recognition converts the digital audio into text in the image's tag field. The Accused Products also use machine learning (or image recognition) to automatically apply image recognition tags to photos stored on the device.

Search for photos and videos on iPhone

When you tap Search in the Photos app, you see suggestions of dates, people, and locations to help you find what you're looking for.

Tap the suggestions or type keywords into the search field—for example, a person's name, date, location, or object—to help you find a specific photo.



Search for photos and videos

1. Go to the Photos app 📸 on your iPhone.
2. Tap Search, then search by any of the following:
 - Date (month or year)
 - Place (city or state)
 - Business names (museums, for example)
 - Category (beach or sunset, for example)
 - Events (sports games or concerts, for example)
 - A person identified in People & Pets (see [Find and name people and pets](#))
 - Text (an email address or phone number, for example)
 - Caption (see [See photo and video information](#))

 **Tip:** Looking for something more specific? Refine your search with multiple keywords—keep adding keywords until you find the right photo. Search also suggests keywords to add to your search.

Source: <https://support.apple.com/guide/iphone/search-for-photos-and-videos-iph392d77d5f/18.0/ios/18.0> (last accessed Oct. 9, 2025)

See also Apple Photos.

48. As shown above, the Accused Products include *internal storage storing the digital image in association with the text and image recognition context tags*. The Accused Products, such as the iPad Mini 5, provide flash memory, cache memory, and RAM to store information.

49. Apple has committed acts of infringement without license or authorization. Apple knew or should have known that its actions would cause direct and indirect infringement of the '017 Patent. On information and belief, Apple acted with objective recklessness by proceeding despite an objective high likelihood that its actions constituted infringement of a valid patent, where such action constitutes egregious misconduct and willful infringement.

50. Apple is also liable under 35 U.S.C. § 271(b) for actively inducing infringement and continuing to actively induce infringement. Apple actively induced its customers, distributors, end-users, vendors including customer-support and/or manufacturers to infringe the '017 Patent. On information and belief, Apple possessed a specific intent to induce infringement, and in fact did induce infringement, by engaging in affirmative acts such as by selling and causing the Accused Products to be manufactured, by providing user guides, installation or instruction manuals, and other training materials, by advertising and solicitation and otherwise providing sales-related materials, and by instructing and/or demonstrating to customers, distributors, end-users, vendors including customer-support and/or manufacturers the normal operation of the Accused Products that infringe the '017 Patent. Non-limiting examples of such are found above in the various screenshots that instruct performance of the infringing use of the technology. Apple is aware and/or willfully blind that these affirmative acts infringe and/or would induce infringement of the '017 Patent, of which it had knowledge.

51. Apple is also liable under 35 U.S.C. § 271(c) for contributing to and continuing to contribute to the infringement of the '017 Patent by, among other things, providing a system for

capturing image and audio information for storage in its Accused Products and by encouraging, at a minimum, customers, distributors, end-users, vendors including customer-support and/or manufacturers in this District and elsewhere, to infringe the '017 Patent. By importing, exporting, manufacturing, distributing, selling, and/or providing the Accused Products and/or Services for their intended use to customers, distributors, end-users, vendors including customer-support and/or manufacturers, Apple has infringed one or more claims of the '017 Patent. The infringing functionality in the Accused Products is material to the inventions claimed in the '017 Patent, has no substantial non-infringing uses, and is known to Apple (on information and belief) to be especially made or adapted for use in infringing the '017 Patent, and which is otherwise not staple articles of commerce suitable for substantial non-infringing use. There are no non-infringing uses for the infringing functionality in the Accused Products other than to create searchable tags as associated metadata for image and/or audio files. Apple is aware and/or willfully blind that these affirmative acts infringe and/or constitute contributory infringement of the '017 Patent, of which it had knowledge.

52. Apple is liable for indirect infringement, i.e., both inducement and contributory infringement, based on the direct infringement that is the result of activities performed by customers, distributors, end-users, vendors including customer-support and/or manufacturers who use all elements or perform all steps of one or more claims of the '017 Patent. For example, end users of Apple's Accused Products infringe, either directly or under the doctrine of equivalents, one or more claims of the '017 Patent (*e.g.*, claim 13 and one or more of its dependents). At a minimum, Apple is liable for the indirect infringement of claim 13 and one or more of its dependents of the '017 Patent.

53. MyPort has been damaged because of Apple's infringing conduct. Apple is, thus, liable to MyPort in an amount that adequately compensates MyPort for Apple's infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 10,237,067

54. MyPort reasserts and incorporates herein by reference the allegations of all preceding paragraphs of this Complaint as if fully set forth herein.

55. Apple has infringed at least claim 6 and one or more of its dependents of the '067 Patent under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, the Accused Products.

56. As just one non-limiting example, set forth below with claim language in italics is a description of infringement of exemplary claim 6 of the '067 Patent (MyPort reserves the right to modify this description, including on the basis of information it obtains during discovery): *a system for capturing image and audio information for storage comprising: a capture device:* To the extent the preamble is limiting, the Accused Products, such as the iPad Mini 5, contains a camera for capturing image information and a microphone capable of capturing audio information, and memory capable of storing this information.

iPad mini (5th generation) – Technical Specifications



* * *

Camera

- 8-megapixel camera
- f/2.4 aperture
- Five-element lens
- Hybrid IR filter
- Backside illumination
- Live Photos

* * *

Video Recording

- 1080p HD video recording
- Slo-mo (240 fps)
- Time-lapse video with stabilization
- Video image stabilization
- 3x video zoom
- Video geotagging

* * *

Microphones

- Dual microphones for calls, video recording, and audio recording

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025)

57. The Accused Products include *internal storage*. The Accused Products, such as the iPad Mini 5, provide flash memory, cache memory, and RAM to store information.

iPad mini (5th generation) – Technical Specifications



* * *

Capacity

- 64GB
- 256GB

* * *

Chip

- A12 Bionic chip with 64-bit architecture
- Neural Engine
- Embedded M12 coprocessor

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

58. The Accused Products include *a microphone interfaceable with an external audio information source that generates external audio information*. The Accused Products, such as the iPad Mini 5, contain a microphone capable of recording audio information from an external audio

information source. For example, the microphone can record the words of a user who dictates into the microphone.

iPad mini (5th generation) – Technical Specifications



* * *

Micropohones

- Dual microphones for calls, video recording, and audio recording

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

59. The Accused Products include *a first data converter for capturing the first external audio information from the microphone*. The Accused Products, such as the iPad Mini 5, uses the device processor and software for capturing the external audio information from the microphone.

Dictate text on iPhone

With Dictation on iPhone, you can dictate text anywhere you can type it. You can also use typing and Dictation together—the keyboard stays open during Dictation so you can easily switch between voice and touch to enter text.

Dictation requests are processed on your device in many languages—no internet connection is required. When dictating in a search box, dictated text may be sent to the search provider in order to process the search.

Note: Dictation may not be available in all languages or in all countries or regions, and features may vary. See the [iOS and iPadOS Feature Availability website](#).

When using Dictation, cellular data charges may apply. See [View or change cellular data settings](#).

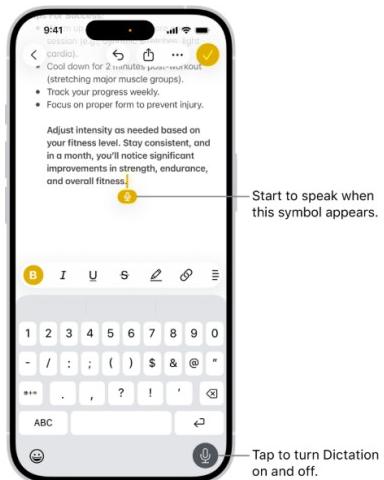
Turn on Dictation

1. Go to the Settings app 🛡️ on your iPhone.
2. Tap General, then tap Keyboard.
3. Turn on Enable Dictation. If a prompt appears, tap Enable Dictation.

To learn more about how Apple protects your information and lets you choose what you share, tap About Dictation & Privacy below Dictation, or see the [Apple Privacy website](#).

Dictate text

Dictate text and use voice commands to edit and format content.



Source: support.apple.com/en-us/HT208343 support.apple.com/en-us/HT208343 (last accessed Oct. 9, 2025).

60. The Accused Products include *a camera interfacing with an external image source to capture an image therefrom*. The camera of the Accused Products, such as the iPad Mini 5, interfaces with an image source. It senses the image and converts it to a series of quantized pixels that, in aggregate, make up the image.

iPad mini (5th generation) – Technical Specifications



* * *

Camera

- 8-megapixel camera
- f/2.4 aperture
- Five-element lens
- Hybrid IR filter
- Backside illumination
- Live Photos

* * *

Video Recording

- 1080p HD video recording
- Slo-mo (240 fps)
- Time-lapse video with stabilization
- Video image stabilization
- 3x video zoom
- Video geotagging

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

Take photos with your iPad camera

Learn how to take photos with your iPad camera. Choose from camera modes such as Photo, Pano, and Square, and use camera features such as Burst and Live Photos.



Take a photo

Photo is the standard mode that you see when you open Camera. Use Photo mode to take still photos. Swipe the mode selector up or down to choose a different mode, such as Video, Pano, Time-lapse, Slo-mo, and Portrait (on [supported models](#)).

1. Open Camera  on your iPad.
2. Tap the Shutter button or press either volume button.

Note: For your security, a green dot appears at the top of the screen when Camera is in use. See [Control access to hardware features](#).

Source: support.apple.com/guide/ipad/take-photos-ipad99b53a71//18.0/ipados (last accessed Oct. 9, 2025).

61. The Accused Products include *the first data converter processing the captured external audio information and storing it in a first digital audio format as stored digital audio in internal storage within the capture device, the camera for processing the captured image and storing it as a stored digital image in internal storage*. Each Accused Product includes a first data converter (e.g., relevant portions of the processor and associated software) that processes the user's words dictated into the microphone (i.e., the captured external audio information) to convert the external audio information into digital audio data and further stores it as digital audio in the device's memory. Each Accused Product has a camera (including the use of relevant portions of the processor and associated software) that processes images and stores the images as a digital file.

Add or edit titles, captions and more in Photos on iCloud.com

In Photos on iCloud.com, you can view and edit metadata about a photo or video, such as the date, time and location. You can also add titles and captions to make it easier to search for items.

1. Go to icloud.com/photos, then sign in to your [Apple Account](#) (if necessary).
 2. Tap or double-click the photo or video you want to see more information about.
 3. Select ⓘ.
 4. Select Edit next to any of the following metadata:
 - *Title and caption*: Enter text in the field.
 - *Date and time*: Select anything in the Adjusted field, then specify the new date or time. To discard any changes, select Revert to Original.
 - *Location*: Enter a location in the field, then choose an option. To remove the location, select Remove Location.

 Tip: If the photo or video doesn't have a location already, select Add Location first.
 5. Select Save.
- The title appears in the Photos toolbar when you view a photo. You can also see it from the thumbnail view.

If you add or edit a caption for a photo or video in your [iCloud Shared Photo Library](#), all participants can see the changes.

Source: [\(https://support.apple.com/en-au/guide/icloud/mm54e2d3fb7a/icloud#:~:text=You%20can%20view%20metadata%20about,Apple%20Account%20\(if%20necessary\)\)](https://support.apple.com/en-au/guide/icloud/mm54e2d3fb7a/icloud#:~:text=You%20can%20view%20metadata%20about,Apple%20Account%20(if%20necessary)) (last accessed Oct. 9, 2025).

Dictate text on iPhone

With Dictation on iPhone, you can dictate text anywhere you can type it. You can also use typing and Dictation together—the keyboard stays open during Dictation so you can easily switch between voice and touch to enter text.

Dictation requests are processed on your device in many languages—no internet connection is required. When dictating in a search box, dictated text may be sent to the search provider in order to process the search.

Note: Dictation may not be available in all languages or in all countries or regions, and features may vary. See the [iOS and iPadOS Feature Availability website](#).

When using Dictation, cellular data charges may apply. See [View or change cellular data settings](#).

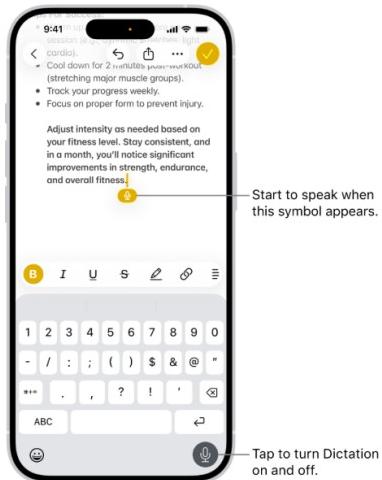
Turn on Dictation

1. Go to the Settings app 🛡️ on your iPhone.
2. Tap General, then tap Keyboard.
3. Turn on Enable Dictation. If a prompt appears, tap Enable Dictation.

To learn more about how Apple protects your information and lets you choose what you share, tap About Dictation & Privacy below Dictation, or see the [Apple Privacy website](#).

Dictate text

Dictate text and use voice commands to edit and format content.



Source: [\(support.apple.com/en-us/HT208343\)](https://support.apple.com/en-us/HT208343) (last accessed Oct. 9, 2025).

What Is Core Audio?

Core Audio is the digital audio infrastructure of iOS and OS X. It includes a set of software frameworks designed to handle the audio needs in your applications. Read this chapter to learn what you can do with Core Audio.

A Little About Digital Audio and Linear PCM

Most Core Audio services use and manipulate audio in linear pulse-code-modulated (*linear PCM*) format, the most common uncompressed digital audio data format. Digital audio recording creates PCM data by measuring an analog (real world) audio signal's magnitude at regular intervals (the *sampling rate*) and converting each sample to a numerical value. Standard compact disc (CD) audio uses a sampling rate of 44.1 kHz, with a 16-bit integer describing each sample—constituting the resolution or *bit depth*.

- A *sample* is single numerical value for a single channel.
- A *frame* is a collection of time-coincident samples. For instance, a stereo sound file has two samples per frame, one for the left channel and one for the right channel.
- A *packet* is a collection of one or more contiguous frames. In linear PCM audio, a packet is always a single frame. In compressed formats, it is typically more. A packet defines the smallest meaningful set of frames for a given audio data format.

Source:

developer.apple.com/library/archive/documentation/MusicAudio/Conceptual/CoreAudioOverview/WhatisCoreAudio/WhatisCoreAudio.html#/apple_ref/doc/uid/TP40003577-CH3-SW1 (last accessed Oct. 9, 2025).

To begin recording, the app installs a tap on the input node and starts up the audio engine, which begins collecting samples into an internal buffer. When a buffer is full, the audio engine calls the provided block. The app's implementation of that block passes the samples directly to the request object's `append(_:_)` method, which accumulates the audio samples and delivers them to the speech recognition system.

Source: developer.apple.com/documentation/speech/recognizing_speech_in_live_audio.

View, share, and print photos on iPad

All photos and videos you take with your iPad camera are saved in the Photos app. With [iCloud Photos](#) turned on, all new photos and videos are automatically uploaded and available in Photos on all your devices that are set up with iCloud Photos (with iOS 8.1, iPadOS 13, or later).

Note: If Location Services is turned on in [Settings](#) ⓘ > Privacy & Security > Location Services, photos and videos are tagged with location data that can be used by apps and photo-sharing websites. See [Control the location information you share on iPad](#).

Source: support.apple.com/guide/ipad/view-share-and-print-photos-ipad99b53b6d/ipados/18.0 (last accessed Oct. 9, 2025).

Framework

Speech

Perform speech recognition on live or prerecorded audio, and receive transcriptions, alternative interpretations, and confidence levels of the results.

iOS 10.0+ | iPadOS 10.0+ | Mac Catalyst 13.0+ | macOS 10.15+ | visionOS 1.0+

Overview

Use the Speech framework to recognize spoken words in recorded or live audio. The keyboard's dictation support uses speech recognition to translate audio content into text. This framework provides a similar behavior, except that you can use it without the presence of the keyboard. For example, you might use speech recognition to recognize verbal commands or to handle text dictation in other parts of your app.

Source: developer.apple.com/documentation/speech (last accessed Oct. 9, 2025).

62. The Accused Products include *capturing, as captured data, location information and time information associated with at least the capture of the image and storing the captured data as stored captured data.* The Accused Products include location settings that allow the mobile device to determine location and time information of a captured image.

iPad mini (5th generation) – Technical Specifications



* * *

Camera

- 8-megapixel camera
- f/2.4 aperture
- Five-element lens
- Auto image stabilization
- Photo geotagging

* * *

Video Recording

- 1080p HD video recording
- Slo-mo (240 fps)
- Time-lapse video with stabilization
- Video image stabilization
- 3x video zoom
- Video geotagging

* * *

Location

- All models
 - Digital compass
 - Wi-Fi
 - iBeacon microlocation
- Wi-Fi + Cellular models
 - Built-in GPS/CNS
 - Cellular

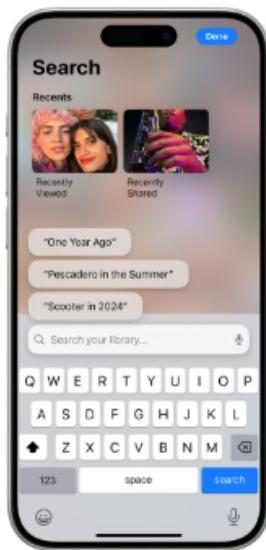
Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).

63. The Accused Products include *a media data converter for converting the received digital audio to a text based searchable file as a text context tag and creating an image recognition searchable context tag with image recognition of at least a portion of the digital image and associating the text and image recognition context tags with the digital image and captured data.* When the Accused Products capture spoken audio, the Accused Products can perform speech recognition. The speech recognition converts the digital audio into text in the image's tag field. The Accused Products also use machine learning (or image recognition) to automatically apply image recognition tags to photos on the device.

Search for photos and videos on iPhone

When you tap Search in the Photos app, you see suggestions of dates, people, and locations to help you find what you're looking for.

Tap the suggestions or type keywords into the search field—for example, a person's name, date, location, or object—to help you find a specific photo.



Search for photos and videos

1. Go to the Photos app 📸 on your iPhone.
2. Tap Search, then search by any of the following:
 - Date (month or year)
 - Place (city or state)
 - Business names (museums, for example)
 - Category (beach or sunset, for example)
 - Events (sports games or concerts, for example)
 - A person identified in People & Pets (see [Find and name people and pets](#))
 - Text (an email address or phone number, for example)
 - Caption (see [See photo and video information](#))

💡 Tip: Looking for something more specific? Refine your search with multiple keywords—keep adding keywords until you find the right photo. Search also suggests keywords to add to your search.

Source: <https://support.apple.com/guide/iphone/search-for-photos-and-videos-iph392d77d5f/18.0/ios/18.0> (last accessed Oct. 9, 2025)

See also Apple Photos.

64. As shown above, the Accused Products include *internal storage storing the digital image in association with the text and image recognition context tags in addition to the stored captured data.* The Accused Products, such as the iPad Mini 5, provide flash memory, cache memory, and RAM to store information.

65. Apple has committed acts of infringement without license or authorization. Apple knew or should have known that its actions would cause direct and indirect infringement of the '067 Patent. On information and belief, Apple acted with objective recklessness by proceeding despite an objective high likelihood that its actions constituted infringement of a valid patent, where such action constitutes egregious misconduct and willful infringement.

66. Apple is also liable under 35 U.S.C. § 271(b) for actively inducing infringement and continuing to actively induce infringement. Apple actively induced its customers, distributors, end-users, vendors including customer-support and/or manufacturers to infringe the '067 Patent. On information and belief, Apple possessed a specific intent to induce infringement, and in fact did induce infringement, by engaging in affirmative acts such as by selling and causing the Accused Products to be manufactured, by providing user guides, installation or instruction manuals, and other training materials, by advertising and solicitation and otherwise providing sales-related materials, and by instructing and/or demonstrating to customers, distributors, end-users, vendors including customer-support and/or manufacturers the normal operation of the Accused Products that infringe the '067 Patent. Non-limiting examples of such are found above in the various screenshots that instruct performance of the infringing use of the technology. Apple is aware and/or willfully blind that these affirmative acts infringe and/or would induce infringement of the '067 Patent, of which it had knowledge.

67. Apple is also liable under 35 U.S.C. § 271(c) for contributing to and continuing to contribute to the infringement of the '067 Patent by, among other things, providing a system for capturing image and audio information for storage in its Accused Products and by encouraging, at a minimum, customers, distributors, end-users, vendors including customer-support and/or manufacturers in this District and elsewhere, to infringe the '067 Patent. By importing, exporting, manufacturing, distributing, selling, and/or providing the Accused Products and/or Services for their intended use to customers, distributors, end-users, vendors including customer-support and/or manufacturers, Apple has infringed one or more claims of the '067 Patent. The infringing functionality in the Accused Products is material to the inventions claimed in the '067 Patent, has no substantial non-infringing uses, and is known to Apple (on information and belief) to be especially made or adapted for use in infringing the '067 Patent, and which is otherwise not staple articles of commerce suitable for substantial non-infringing use. There are no non-infringing uses for the infringing functionality in the Accused Products other than to create searchable tags as associated metadata for image and/or audio files. Apple is aware and/or willfully blind that these affirmative acts infringe and/or constitute contributory infringement of the '067 Patent, of which it had knowledge.

68. Apple is liable for indirect infringement, i.e., both inducement and contributory infringement, based on the direct infringement that is the result of activities performed by customers, distributors, end-users, vendors including customer-support and/or manufacturers who use all elements or perform all steps of one or more claims of the '067 Patent. For example, end users of Apple's Accused Products infringe, either directly or under the doctrine of equivalents, one or more claims of the '067 Patent (*e.g.*, claim 6 and one or more of its dependents). At a

minimum, Apple is liable for the indirect infringement of claim 6 and one or more of its dependents of the '067 Patent.

69. MyPort has been damaged because of Apple's infringing conduct. Apple is, thus, liable to MyPort in an amount that adequately compensates MyPort for Apple's infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 10,721,066

70. MyPort reasserts and incorporates herein by reference the allegations of all preceding paragraphs of this Complaint as if fully set forth herein.

71. Apple has infringed at least claim 13 and one or more of its dependents of the '066 Patent under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, the Accused Products.

72. As just one non-limiting example, set forth below with claim language in italics is a description of infringement of exemplary claim 13 of the '066 Patent (MyPort reserves the right to modify this description, including on the basis of information it obtains during discovery): *a method for capturing image and audio information for storage, comprising:* To the extent the preamble is limiting, the Accused Products, such as the iPad Mini 5, performs a method for capturing image information via a camera and a microphone capable of capturing audio information, and memory capable of storing this information.

iPad mini (5th generation) – Technical Specifications



* * *

Camera

- 8-megapixel camera
- f/2.4 aperture
- Five-element lens
- Hybrid IR filter
- Backside illumination
- Live Photos

* * *

Video Recording

- 1080p HD video recording
- Slo-mo (240 fps)
- Time-lapse video with stabilization
- Video image stabilization
- 3x video zoom
- Video geotagging

* * *

Microphones

- Dual microphones for calls, video recording, and audio recording

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).

73. The Accused Products include *internal storage*. The Accused Products, such as the iPad Mini 5, provide flash memory, cache memory, and RAM to store information.

iPad mini (5th generation) – Technical Specifications



* * *

Capacity¹

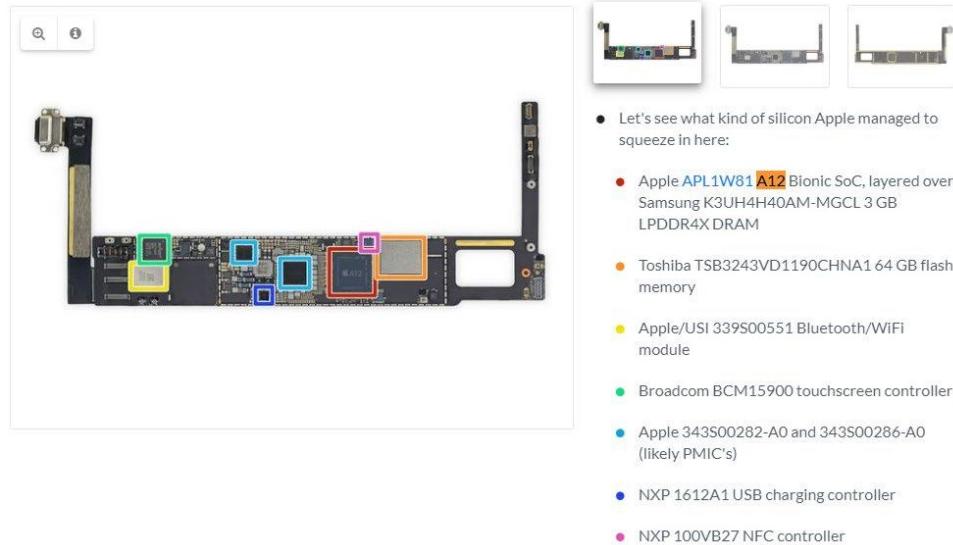
- 64GB
- 256GB

* * *

Chip

- A12 Bionic chip with 64-bit architecture
- Neural Engine
- Embedded M12 coprocessor

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

74. The Accused Products include *interfacing a microphone with an external audio information source that generates external audio information*. The Accused Products, such as the iPad Mini 5, contain a microphone capable of recording audio information from an external audio information source. For example, the microphone can record the words of a user who dictates into the microphone.

<p>iPad mini (5th generation) – Technical Specifications</p>  <p style="text-align: center;">* * *</p> <p>Microphones</p> <ul style="list-style-type: none"> ▪ Dual microphones for calls, video recording, and audio recording

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

75. The Accused Products include *converting with a first data converter the external audio information from the microphone*. The Accused Products, such as the iPad Mini 5, uses the device processor and software to capture the external audio information from the microphone.

Dictate text on iPhone

With Dictation on iPhone, you can dictate text anywhere you can type it. You can also use typing and Dictation together—the keyboard stays open during Dictation so you can easily switch between voice and touch to enter text.

Dictation requests are processed on your device in many languages—no internet connection is required. When dictating in a search box, dictated text may be sent to the search provider in order to process the search.

Note: Dictation may not be available in all languages or in all countries or regions, and features may vary. See the [iOS and iPadOS Feature Availability website](#).

When using Dictation, cellular data charges may apply. See [View or change cellular data settings](#).

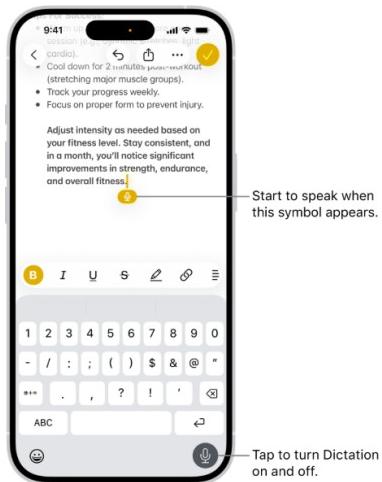
Turn on Dictation

1. Go to the Settings app 🛡️ on your iPhone.
2. Tap General, then tap Keyboard.
3. Turn on Enable Dictation. If a prompt appears, tap Enable Dictation.

To learn more about how Apple protects your information and lets you choose what you share, tap About Dictation & Privacy below Dictation, or see the [Apple Privacy website](#).

Dictate text

Dictate text and use voice commands to edit and format content.



Source: support.apple.com/en-us/HT208343 (last accessed Oct. 9, 2025).

76. The Accused Products include *interfacing a camera with an image source to capture an image therefrom*. The camera of the Accused Products, such as the iPad Mini 5, interfaces with an image source. It senses the image and converts it to a series of quantized pixels that, in aggregate, make up the image.

iPad mini (5th generation) – Technical Specifications



* * *

Camera

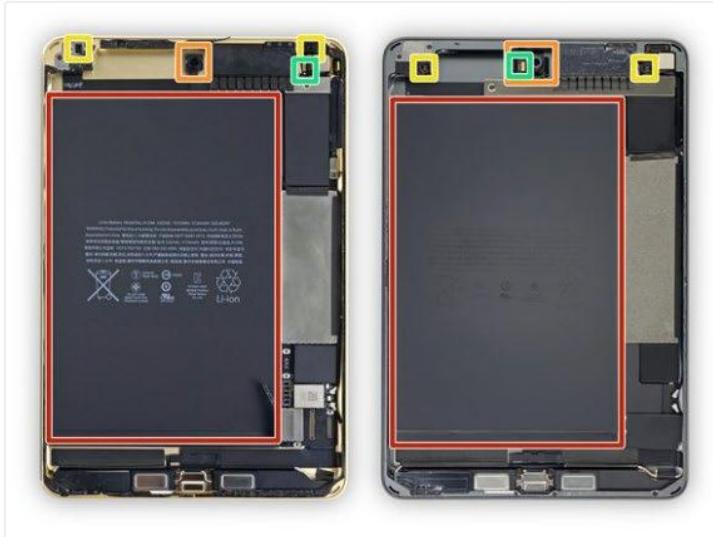
- 8-megapixel camera
- f/2.4 aperture
- Five-element lens
- Hybrid IR filter
- Backside illumination
- Live Photos

* * *

Video Recording

- 1080p HD video recording
- Slo-mo (240 fps)
- Time-lapse video with stabilization
- Video image stabilization
- 3x video zoom
- Video geotagging

Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).



- Notice the clean lines and muted colors in Apple's foray into [abstract art](#). The second image is *extra abstract* thanks to X-rays.
 - Let's channel our inner art critic and try to spot some differences between the newest Mini and its predecessor:
 - Different battery model, with updated (i.e. incompatible) connectors
 - Rated for 19.32 Wh, it matches [the last Mini's](#), has less than the standard iPad's 32.9 Wh, and comes in a little over the [Galaxy Note9's](#) 15.4 Wh.
 - Upgraded front-facing camera module
 - Updated ambient light (True Tone) sensors
 - A migrated set of microphones
- i* [Here's a clean view with no markings](#), in case you want to spot the differences yourself.

Source: www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589 (last accessed Oct. 9, 2025).

Take photos with your iPad camera

Learn how to take photos with your iPad camera. Choose from camera modes such as Photo, Pano, and Square, and use camera features such as Burst and Live Photos.



Take a photo

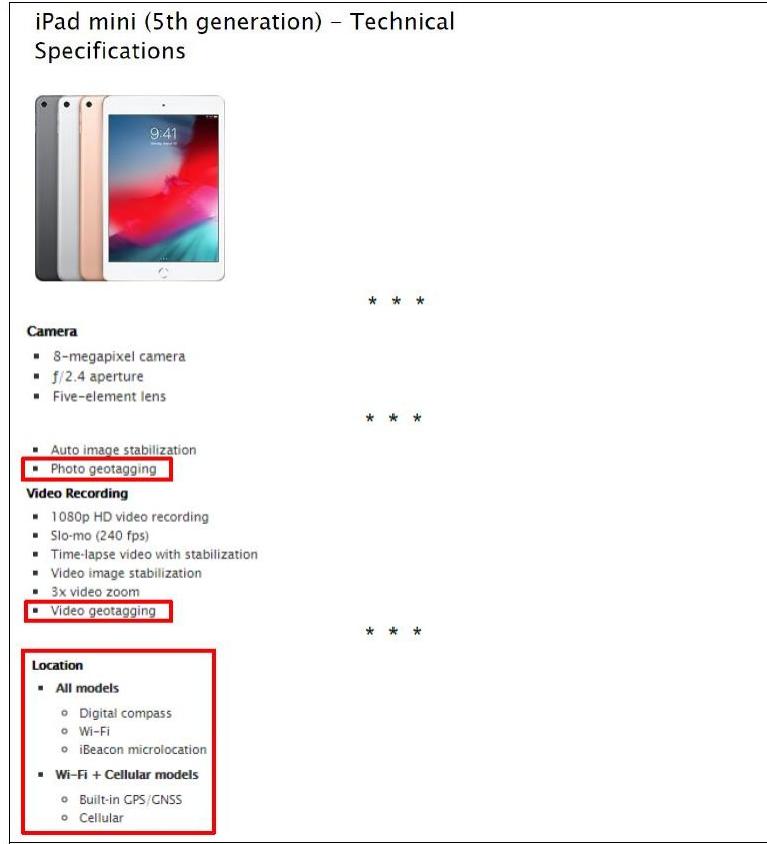
Photo is the standard mode that you see when you open Camera. Use Photo mode to take still photos. Swipe the mode selector up or down to choose a different mode, such as Video, Pano, Time-lapse, Slo-mo, and Portrait (on [supported models](#)).

1. Open Camera  on your iPad.
2. Tap the Shutter button or press either volume button.

Note: For your security, a green dot appears at the top of the screen when Camera is in use. See [Control access to hardware features](#).

Source: support.apple.com/guide/ipad/take-photos-ipad99b53a71//18.0/ipados (last accessed Oct. 9, 2025).

77. The Accused Products include *capturing within a capture device, as captured data, location information and time information associated with at least the capture of the image and storing the captured data as stored captured data.* The Accused Products include location settings that allow the mobile device to determine location and time information of a captured image.



Source: <https://support.apple.com/en-us/111904> (last accessed Oct. 9, 2025).

78. The Accused Products include *the first data converter processing the captured external audio information and storing it in a first digital audio format as stored digital audio within the capture device, the camera for processing the captured image and storing it as a stored digital image*. Each Accused Product includes a first data converter (e.g., relevant portions of the processor and associated software) that processes the user's words dictated into the microphone (i.e., the captured external audio information) to convert the external audio information into digital audio data and further stores it as digital audio in the device's memory. Each Accused Product has a camera (including the use of relevant portions of the processor and associated software) that processes images and stores the images as a digital file.

79. Each Accused Product has a camera (including the use of relevant portions of the processor and associated software) that processes images and stores the images as a digital file.

Add or edit titles, captions and more in Photos on iCloud.com

In Photos on iCloud.com, you can view and edit metadata about a photo or video, such as the date, time and location. You can also add titles and captions to make it easier to search for items.

1. Go to icloud.com/photos, then sign in to your [Apple Account](#) (if necessary).
2. Tap or double-click the photo or video you want to see more information about.
3. Select ⓘ.
4. Select Edit next to any of the following metadata:
 - *Title and caption*: Enter text in the field.
 - *Date and time*: Select anything in the Adjusted field, then specify the new date or time. To discard any changes, select Revert to Original.
 - *Location*: Enter a location in the field, then choose an option. To remove the location, select Remove Location.
 **Tip:** If the photo or video doesn't have a location already, select Add Location first.
5. Select Save.
The title appears in the Photos toolbar when you view a photo. You can also see it from the thumbnail view.

If you add or edit a caption for a photo or video in your [iCloud Shared Photo Library](#), all participants can see the changes.

Source: [\(last accessed Oct. 9, 2025\).](https://support.apple.com/en-au/guide/icloud/mm54e2d3fb7a/icloud#:~:text>You%20can%20view%20metadata%20about,Apple%20Account%20(if%20necessary))

Dictate text on iPhone

With Dictation on iPhone, you can dictate text anywhere you can type it. You can also use typing and Dictation together—the keyboard stays open during Dictation so you can easily switch between voice and touch to enter text.

Dictation requests are processed on your device in many languages—no internet connection is required. When dictating in a search box, dictated text may be sent to the search provider in order to process the search.

Note: Dictation may not be available in all languages or in all countries or regions, and features may vary. See the [iOS and iPadOS Feature Availability website](#).

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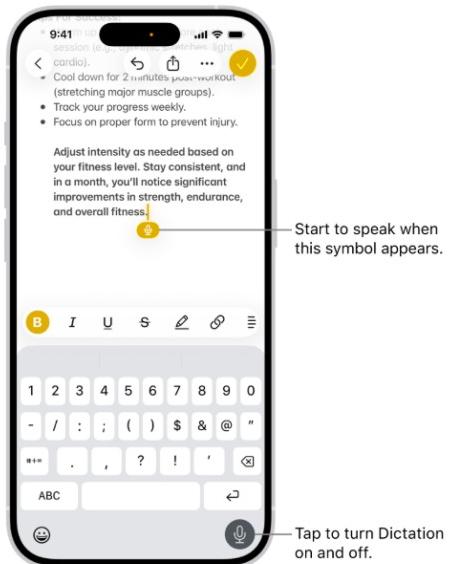
Turn on Dictation

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Dictate text

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Source: support.apple.com/en-us/HT208343 (last accessed Oct. 9, 2025).

What Is Core Audio?

Core Audio is the digital audio infrastructure of iOS and OS X. It includes a set of software frameworks designed to handle the audio needs in your applications. Read this chapter to learn what you can do with Core Audio.

A Little About Digital Audio and Linear PCM

Most Core Audio services use and manipulate audio in linear pulse-code-modulated (*linear PCM*) format, the most common uncompressed digital audio data format. Digital audio recording creates PCM data by measuring an analog (real world) audio signal's magnitude at regular intervals (the *sampling rate*) and converting each sample to a numerical value. Standard compact disc (CD) audio uses a sampling rate of 44.1 kHz, with a 16-bit integer describing each sample—constituting the resolution or *bit depth*.

- A *sample* is single numerical value for a single channel.
- A *frame* is a collection of time-coincident samples. For instance, a stereo sound file has two samples per frame, one for the left channel and one for the right channel.
- A *packet* is a collection of one or more contiguous frames. In linear PCM audio, a packet is always a single frame. In compressed formats, it is typically more. A packet defines the smallest meaningful set of frames for a given audio data format.

Source:

developer.apple.com/library/archive/documentation/MusicAudio/Conceptual/CoreAudioOverview/WhatisCoreAudio/WhatisCoreAudio.html#/apple_ref/doc/uid/TP40003577-CH3-SW1 (last accessed Oct. 9, 2025).

To begin recording, the app installs a tap on the input node and starts up the audio engine, which begins collecting samples into an internal buffer. When a buffer is full, the audio engine calls the provided block. The app's implementation of that block passes the samples directly to the request object's `append(_:_)` method, which accumulates the audio samples and delivers them to the speech recognition system.

Source: developer.apple.com/documentation/speech/recognizing_speech_in_live_audio.

View, share, and print photos on iPad

All photos and videos you take with your iPad camera are saved in the Photos app. With [iCloud Photos](#) turned on, all new photos and videos are automatically uploaded and available in Photos on all your devices that are set up with iCloud Photos (with iOS 8.1, iPadOS 13, or later).

Note: If Location Services is turned on in [Settings](#) ⓘ > Privacy & Security > Location Services, photos and videos are tagged with location data that can be used by apps and photo-sharing websites. See [Control the location information you share on iPad](#).

Source: support.apple.com/guide/ipad/view-share-and-print-photos-ipad99b53b6d/ipados/18.0 (last accessed Oct. 9, 2025).

Framework

Speech

Perform speech recognition on live or prerecorded audio, and receive transcriptions, alternative interpretations, and confidence levels of the results.

iOS 10.0+ | iPadOS 10.0+ | Mac Catalyst 13.0+ | macOS 10.15+ | visionOS 1.0+

Overview

Use the Speech framework to recognize spoken words in recorded or live audio. The keyboard's dictation support uses speech recognition to translate audio content into text. This framework provides a similar behavior, except that you can use it without the presence of the keyboard. For example, you might use speech recognition to recognize verbal commands or to handle text dictation in other parts of your app.

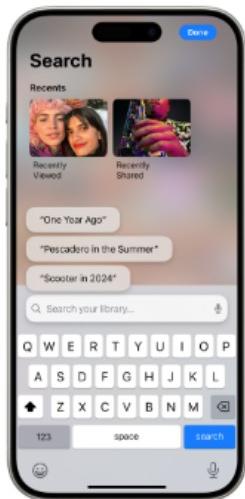
Source: developer.apple.com/documentation/speech (last accessed Oct. 9, 2025).

80. The Accused Products include *converting with a second data converter the received digital audio to a text based searchable file as a text context tag and creating an image recognition searchable context tag with image recognition of at least a portion of the digital image and associating the text and image recognition context tags with the digital image and with the stored captured data.* When the Accused Products capture spoken audio, the Accused Products can perform speech recognition. The speech recognition converts the digital audio into text in the image's tag field. The Accused Products also use machine learning (or image recognition) to automatically apply image recognition tags to photos stored on the device.

Search for photos and videos on iPhone

When you tap Search in the Photos app, you see suggestions of dates, people, and locations to help you find what you're looking for.

Tap the suggestions or type keywords into the search field—for example, a person's name, date, location, or object—to help you find a specific photo.



Search for photos and videos

1. Go to the Photos app 📸 on your iPhone.
2. Tap Search, then search by any of the following:
 - Date (month or year)
 - Place (city or state)
 - Business names (museums, for example)
 - Category (beach or sunset, for example)
 - Events (sports games or concerts, for example)
 - A person identified in People & Pets (see [Find and name people and pets](#))
 - Text (an email address or phone number, for example)
 - Caption (see [See photo and video information](#))

 Tip: Looking for something more specific? Refine your search with multiple keywords—keep adding keywords until you find the right photo. Search also suggests keywords to add to your search.

Source: <https://support.apple.com/guide/iphone/search-for-photos-and-videos-iph392d77d5f/18.0/ios/18.0> (last accessed Oct. 9, 2025)

See also Apple Photos.

81. As shown above, the Accused Products include *storing in the internal storage the digital image in association with the text and image recognition context tags in addition to the stored captured data.* The Accused Products, such as the iPad Mini 5, provide flash memory, cache memory, and RAM to store information.

82. Apple has committed acts of infringement without license or authorization. Apple knew or should have known that its actions would cause direct and indirect infringement of the '066 Patent. On information and belief, Apple acted with objective recklessness by proceeding despite an objective high likelihood that its actions constituted infringement of a valid patent, where such action constitutes egregious misconduct and willful infringement.

83. In the event Apple itself does not perform the entire process, the infringement of the '066 Patent is attributable to Apple because Apple directs and controls the users of the Accused Products to perform acts that result in infringement, and Apple receives benefit from its infringement.

84. Apple is also liable under 35 U.S.C. § 271(b) for actively inducing infringement and continuing to actively induce infringement. Apple actively induced its customers, distributors, end-users, vendors including customer-support and/or manufacturers to infringe the '066 Patent. On information and belief, Apple possessed a specific intent to induce infringement, and in fact did induce infringement, by engaging in affirmative acts such as by selling and causing the Accused Products to be manufactured, by providing user guides, installation or instruction manuals, and other training materials, by advertising and solicitation and otherwise providing sales-related materials, and by instructing and/or demonstrating to customers, distributors, end-users, vendors including customer-support and/or manufacturers the normal operation of the Accused Products that infringe the '066 Patent. Non-limiting examples of such are found above

in the various screenshots that instruct performance of the infringing use of the technology. Apple is aware and/or willfully blind that these affirmative acts infringe and/or would induce infringement of the '066 Patent, of which it had knowledge.

85. Apple is also liable under 35 U.S.C. § 271(c) for contributing to and continuing to contribute to the infringement of the '066 Patent by, among other things, providing a system for capturing image and audio information for storage in its Accused Products and by encouraging, at a minimum, customers, distributors, end-users, vendors including customer-support and/or manufacturers in this District and elsewhere, to infringe the '066 Patent. By importing, exporting, manufacturing, distributing, selling, and/or providing the Accused Products and/or Services for their intended use to customers, distributors, end-users, vendors including customer-support and/or manufacturers, Apple has infringed one or more claims of the '066 Patent. The infringing functionality in the Accused Products is material to the inventions claimed in the '066 Patent, has no substantial non-infringing uses, and is known to Apple (on information and belief) to be especially made or adapted for use in infringing the '066 Patent, and which is otherwise not staple articles of commerce suitable for substantial non-infringing use. There are no non-infringing uses for the infringing functionality in the Accused Products other than to create searchable tags as associated metadata for image and/or audio files. Apple is aware and/or willfully blind that these affirmative acts infringe and/or constitute contributory infringement of the '066 Patent, of which it had knowledge.

86. Apple is liable for indirect infringement, i.e., both inducement and contributory infringement, based on the direct infringement that is the result of activities performed by customers, distributors, end-users, vendors including customer-support and/or manufacturers who use all elements or perform all steps of one or more claims of the '066 Patent. For example, end

users of Apple's Accused Products infringe, either directly or under the doctrine of equivalents, one or more claims of the '066 Patent (e.g., claim 13 and one or more of its dependents). At a minimum, Apple is liable for the indirect infringement of claim 13 and one or more of its dependents of the '066 Patent.

87. MyPort has been damaged because of Apple's infringing conduct. Apple is, thus, liable to MyPort in an amount that adequately compensates MyPort for Apple's infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

DEMAND FOR JURY TRIAL

MyPort demands a trial by jury on all claims and issues triable of right by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

- a) A judgment in favor of MyPort that Apple has infringed, either literally and/or under the doctrine of equivalents, the Patents-in-Suit;
- b) An award of damages adequate to compensate MyPort for Apple's infringement of the Patents-in-Suit, and in no event less than a reasonable royalty for Apple's acts of infringement, including all pre-judgment and post-judgment interest at the maximum rate permitted by law;
- c) An award of trebled damages due to Apple's willful infringement, and any other enhanced damages under 35 U.S.C. § 284;
- d) A declaration that this case is exceptional under 35 U.S.C. § 285;
- e) An award of MyPort's costs and attorney's fees under 35 U.S.C. § 285 and other applicable law; and

f) Any other remedy to which MyPort may be entitled.

Dated: October 10, 2025

Of Counsel:

John E. Lord (admitted *Pro Hac Vice*)
SKIERMONT DERBY LLP
633 W. Fifth Street, Suite 5800
Los Angeles, CA 90071
Phone: (213) 788-4500
jlord@skiermontderby.com

Michael D. Ricketts (admitted *Pro Hac Vice*)
SKIERMONT DERBY LLP
1601 Elm Street, Suite 4400
Dallas, TX 75201
(214) 978-6600
mricketts@skiermontderby.com

Chandran B. Iyer (admitted *Pro Hac Vice*)
DAIGNAULT IYER LLP
8229 Boone Boulevard - Suite 450
Vienna, VA 22182
Phone: (202) 330-1666
rdaignault@daignaultiyer.com
cbiyer@daignaultiyer.com

*Not admitted to practice in Virginia

Respectfully submitted,

STAMOULIS & WEINBLATT LLC

/s/ Stamatis Stamoulis
Stamatis Stamoulis (#4606)
Richard C. Weinblatt (#5080)
STAMOULIS & WEINBLATT LLC
800 N. West St., 3rd Floor
Wilmington, DE 19801
Telephone: (302) 999-1540
stamoulis@swdelaw.com
weinblatt@swdelaw.com

*Attorneys for Plaintiff
MyPort Technologies, Inc.*